

ORIGINAL

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 SYNAGRO TECHNOLOGIES, INC.

LODGED

25 MAR 29 2006

CLERK, U.S. DISTRICT COURT
 DISTRICT OF HAWAIIFILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

MAR 30 2006

at 1 o'clock and 20 min. AM
 SUE BEITIA, CLERK
 BY

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SYNAGRO TECHNOLOGIES, INC.,)	CIVIL NO. CV04-00509 SPK LEK
Plaintiff,)	STIPULATION AND ORDER TO (1) VACATE TRIAL DATE, TRIAL- RELATED DEADLINES, (2) SET BRIEFING ON PLAINTIFF'S MOTION FOR ATTORNEYS' FEES AND COSTS, AND (3) DISMISS CLAIMS
vs.)	
GMP HAWAII, INC.,)	
Defendant.)	
)	
)	
)	

**STIPULATION AND ORDER TO (1) VACATE TRIAL DATE, TRIAL-RELATED
 DEADLINES, (2) SET BRIEFING ON PLAINTIFF'S MOTION FOR
 ATTORNEYS' FEES AND COSTS, AND (3) DISMISS CLAIMS**

Plaintiff SYNAGRO TECHNOLOGIES, INC. and Defendant GMP HAWAII, INC., by and through their respective counsel, HEREBY STIPULATE:

- (1) The trial date, currently scheduled to commence on May 2, 2006, and all trial-related deadlines in the above-captioned case are vacated;

(2) Upon approval of this stipulation, the Court will set a briefing schedule and hearing date for Plaintiff's Motion for Attorneys' Fees and Costs ("Plaintiff's Motion"), and schedule a settlement conference on the disputed issue of attorneys' fees and costs;

(3) The Plaintiff will file its Motion by April 21, 2006. That motion will be heard by Magistrate Judge Leslie E. Kobayashi, pursuant to Local Rule ("LR") 53.1 of the Rules of the United States District Court for the District of Hawai'i, and the parties reserve their right to have the decision reviewed by Judge Samuel P. King, pursuant to LR 53.2; and

(4) After the Court has rendered its final decision and order on Plaintiff's Motion, the Parties will dismiss the remaining claims in this action with prejudice. Thereafter, an appropriate final judgment will be entered based upon the foregoing.

Honolulu, Hawai'i,

MAR 29 2006



PAUL ALSTON
MEI-FEI KUO
Attorneys for Plaintiff
SYNAGRO TECHNOLOGIES, INC.



MICHAEL R. MARSH
TED N. PETTIT
RICHARD C. SUTTON, JR.
Attorneys for Defendant
GMP HAWAII, INC.

APPROVED AND SO ORDERED



JUDGE OF ABOVE-ENTITLED COURT

Synagro Technologies, Inc. v. GMP Hawai'i, Inc., Civ. No. CV04-00509 SPK LEK;
STIPULATION AND ORDER TO VACATE TRIAL DATE AND TRIAL RELATED
DEADLINES PENDING BRIEFING ON PLAINTIFF'S MOTION FOR ATTORNEYS' FEES
AND COSTS